



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

## Mail Stop Petition

1-WA/2803441.1

A petition under 37 C.F.R. § 1.137(b) to revive unintentionally abandoned application was filed on January 30, 2007. As required, that petition was accompanied by (1) required reply; a Request for Continued Examination signed by a practitioner whose registration number was active, (2) the petition fee of \$1500, and (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 C.F.R. § 1.137(b) was unintentional. Applicant respectfully brings to the Petition Officer's attention to an enclosed copy of the Transaction History in the above-identified application obtained from the Public PAIR. In the Transaction History, it indicates that the petition was filed on January 29, 2007 (a day before the petition actually was filed). In addition, the Transaction History appears to indicate only two pages of the entire documents that accompanied the petition were scanned. Accordingly, Applicant believes that these oversights caused by the Office contributed to the Petition Office to issue a dismissal decision.

Thus, in order to assist the Petition Officer, Applicant respectfully submits a copy of date stamped post card evidencing the filing of above-mentioned required items in the Petition Office on January 30, 2007. In addition, Applicant encloses for your reference, an entire documents which accompanied the petition filed on January 30, 2007. Applicant respectfully submits that the petition under 37 C.F.R. § 1.137(b) was filed with all the required items in a timely manner. Accordingly, in view of the above arguments, Applicant respectfully requests a reconsideration of the petition under 37 C.F.R. § 1.137(b) filed on January 30, 2007.

**CONCLUSION**

Should the Petition Officer feel that there are any issues outstanding after consideration of this response, the Petition Officer is invited to contact Applicant's undersigned representative to expedite prosecution.

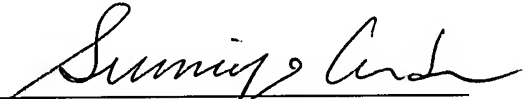
If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: August 3, 2007

By: \_\_\_\_\_



Sumiyo Onda  
Reg. No. L0289

**CUSTOMER NO. 09629**

MORGAN, LEWIS & BOCKIUS LLP  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
Telephone: (202) 739-3000  
Facsimile: (202) 739-3001



**PLEASE STAMP AND RETURN TO SHOW RECEIPT OF:**

In re Application of:

Jin Ook KIM

Confirmation No.: 2506

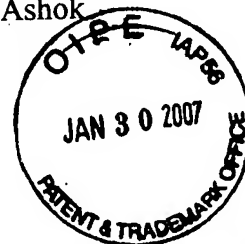
Application No.: 10/694,838

Group Art Unit: 2879

Filed: October 29, 2003

Examiner: Patel, Ashok

For: ORGANIC ELECTRO-LUMINESCENT DEVICE HAVING  
POLYMER EMISSION LAYER AND METHOD FOR  
FABRICATING THE SAME



**Mail Stop AMENDMENT**

\*\*\*\*\*

1. Corrected Request for Continued Examination (RCE) Transmittal Form
2. RCE in response to a Final Office Action dated July 10, 2006 and an Advisory Action dated November 3, 2006
3. Amendment for Entry with Corrected RCE Filing
4. Copy of date stamped postcard evidencing the payment of RCE filing fee
5. Authorization to charge \$1,500.00 for a petition to revive fee to Deposit Account No. 50-0310

Dated: January 30, 2007

Attorney Docket No.: 054358-5019

7  
SO:fdb

LWA/26704372

**DOCKETED**  
By BR Date 1/31/07



ATTORNEY DOCKET NO.: 054358-5019

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Jin Ook KIM

Application No.: 10/694,838

Filed: October 29, 2003

For: ORGANIC ELECTRO-LUMINESCENT  
DEVICE HAVING POLYMER EMISSION  
LAYER AND METHOD FOR  
FABRICATING THE SAME

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)  
) Confirmation No.: 2506

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) Group Art Unit: 2879

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) Examiner: Patel, Ashok

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)  
) Mail Stop Petition

Commissioner for Patents  
United States Patent and Trademark Office  
Customer Service Window, Mail Stop Petition  
Randolph Building, 401 Dulany Street  
Alexandria, VA 22314

Sir: **PETITION TO REVIVE AN ABANDONED APPLICATION**  
**UNDER 37 C.F.R. § 1.137(b)**

Pursuant to the provisions of 37 C.F.R. § 1.137(b), Applicant hereby petitions to revive the above-referenced application which has been unintentionally abandoned for failure to respond to the Non-Final Office Action dated July 10, 2006 and an Advisory Action dated November 3, 2006. Applicant respectfully submits that a Request for Continued Examination and an Amendment were filed on December 11, 2006 in response to the Final Office Action dated July 10, 2006. However, that RCE and the Amendment filed on December 11, 2006 were signed by a patent practitioner whose registration number was, unbeknownst to her at the time, inactive. Furthermore, the six-month statutory period in the present application expired on January 10, 2007. As such, the present application became abandoned.

Applicant respectfully submits that the entire delay in filing the required reply in the USPTO was unintentional.

Applicant hereby petitions for revival of this application and include the following items:

1. Petition fee under 37 C.F.R. §§1.17(m) and 1.137(b)(2)

☒ Authorization to charge Deposit Acct. No. 50-0310 in the amount of \$1,500.00 for:

Petition to Revive.....\$1,500.00

2. Required Reply

☒ Request for Continued Examination in response to the Final Office Action dated July 10, 2006

☒ Amendment with filing with RCE in response to the Final Office Action dated July 10, 2006

3. Constructive Petition

☒ Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and §1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: January 30, 2007

By: Mary Jane Boswell  
Mary Jane Boswell  
Reg. No. 33,652

**CUSTOMER NO. 009629**  
**MORGAN, LEWIS & BOCKIUS LLP**  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
Tel: 202-739-3000  
Fax: 202-739-3001

**PLEASE STAMP AND RETURN TO SHOW RECEIPT OF:**

In re Application of:

Jin Ook KIM

Application No.: 10/694,838

Filed: October 29, 2003



Confirmation No.: 2506

Group Art Unit: 2879

Examiner: Patel, Ashok

For: ORGANIC ELECTRO-LUMINESCENT DEVICE HAVING  
POLYMER EMISSION LAYER AND METHOD FOR  
FABRICATING THE SAME

**Mail Stop AMENDMENT**

\*\*\*\*\*

1. Request for Continued Examination (RCE) Transmittal
2. RCE in response to a Final Office Action dated July 10, 2006 and an Advisory Action dated November 3, 2006
3. Amendment for Entry with RCE Filing
4. Authorization to charge \$1,240.00 to Deposit Account No. 50-0310 (\$790.00 for RCE filing fee and \$450.00 for two-month extension fee)

Dated: December 11, 2006

Attorney Docket No.: 054358-5019



SO:fdb

1-WA/2670437.1




**DOCKETED**  
By BR Date 12/12/06

## Patent Application Information Retrieval

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10/694,838

Organic electro-luminescent device having polymer emission layer and method for fabricating the same 

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This application is officially maintained in electronic form. To View: Click the desired Document Description. To Download and Print: Check the desired document(s) and click Start Download.

## Available Documents

Mail Room Date 	Document Description 	Page Count 	Select All	Start Download	Clear All
07-27-2007	<u>Petition Decision</u>	2		<input type="checkbox"/>	
06-04-2007	<u>Amendment - After Non-Final Rejection</u>	4		<input type="checkbox"/>	
06-04-2007	<u>Claims</u>	3		<input type="checkbox"/>	
06-04-2007	<u>Applicant Arguments/Remarks Made in an Amendment</u>	3		<input type="checkbox"/>	
06-04-2007	<u>Fee Worksheet (PTO-06)</u>	1		<input type="checkbox"/>	
03-28-2007	<u>Miscellaneous Incoming Letter</u>	3		<input type="checkbox"/>	
01-29-2007	<u>Petition for review by the Office of Petitions.</u>	2		<input type="checkbox"/>	
01-03-2007	<u>Non-Final Rejection</u>	7		<input type="checkbox"/>	
01-03-2007	<u>Index of Claims</u>	1		<input type="checkbox"/>	
01-03-2007	<u>Search information including classification, databases and other search related notes</u>	1		<input type="checkbox"/>	
12-24-2006	<u>Examiner's search strategy and results</u>	2		<input type="checkbox"/>	
12-11-2006	<u>Amendment Submitted/Entered with Filing of CPA/RCE</u>	1		<input type="checkbox"/>	
12-11-2006	<u>Claims</u>	3		<input type="checkbox"/>	
12-11-2006	<u>Applicant Arguments/Remarks Made in an Amendment</u>	3		<input type="checkbox"/>	
12-11-2006	<u>Request for Continued Examination (RCE)</u>	4		<input type="checkbox"/>	
12-11-2006	<u>Fee Worksheet (PTO-06)</u>	1		<input type="checkbox"/>	
11-03-2006	<u>Advisory Action (PTOL-303)</u>	3		<input type="checkbox"/>	
10-10-2006	<u>Transmittal to TC</u>	4		<input type="checkbox"/>	
10-10-2006	<u>Amendment After Final</u>	4		<input type="checkbox"/>	
10-10-2006	<u>Applicant Arguments/Remarks Made in an Amendment</u>	5		<input type="checkbox"/>	
07-10-2006	<u>Final Rejection</u>	7		<input type="checkbox"/>	
07-10-2006	<u>Index of Claims</u>	1		<input type="checkbox"/>	
05-08-2006	<u>Fee Worksheet (PTO-06)</u>	1		<input type="checkbox"/>	
05-08-2006	<u>Index of Claims</u>	1		<input type="checkbox"/>	
04-24-2006	<u>Amendment - After Non-Final Rejection</u>	1		<input type="checkbox"/>	
04-24-2006	<u>Claims</u>	5		<input type="checkbox"/>	
04-24-2006	<u>Applicant Arguments/Remarks Made in an Amendment</u>	4		<input type="checkbox"/>	
04-24-2006	<u>Transmittal of New Application</u>	3		<input type="checkbox"/>	
01-23-2006	<u>Non-Final Rejection</u>	7		<input type="checkbox"/>	



01-23-2006	<u>List of References cited by applicant and considered by examiner</u>	1	<input type="checkbox"/>
01-23-2006	<u>List of references cited by examiner</u>	1	<input type="checkbox"/>
01-23-2006	<u>Search information including classification, databases and other search related notes</u>	1	<input type="checkbox"/>
01-23-2006	<u>Index of Claims</u>	1	<input type="checkbox"/>
01-23-2006	<u>Bibliographic Data Sheet</u>	1	<input type="checkbox"/>
01-19-2006	<u>Examiner's search strategy and results</u>	2	<input type="checkbox"/>
11-04-2005	<u>Response to Election / Restriction Filed</u>	2	<input type="checkbox"/>
10-05-2005	<u>Information Disclosure Statement (IDS) Filed</u>	3	<input type="checkbox"/>
10-05-2005	<u>Foreign Reference</u>	10	<input type="checkbox"/>
10-05-2005	<u>NPL Documents</u>	2	<input type="checkbox"/>
10-04-2005	<u>Requirement for Restriction/Election</u>	5	<input type="checkbox"/>
10-04-2005	<u>Index of Claims</u>	1	<input type="checkbox"/>
10-29-2003	<u>Transmittal of New Application</u>	4	<input type="checkbox"/>
10-29-2003	<u>Specification</u>	20	<input type="checkbox"/>
10-29-2003	<u>Claims</u>	6	<input type="checkbox"/>
10-29-2003	<u>Abstract</u>	1	<input type="checkbox"/>
10-29-2003	<u>Drawings</u>	6	<input type="checkbox"/>
10-29-2003	<u>Oath or Declaration filed</u>	3	<input type="checkbox"/>
10-29-2003	<u>Certified Copy of Foreign Priority Application</u>	21	<input type="checkbox"/>
10-29-2003	<u>Fee Worksheet (PTO-06)</u>	1	<input type="checkbox"/>
10-29-2003	<u>Fee Worksheet (PTO-06)</u>	1	<input type="checkbox"/>

*If you need help:*

- Call the Patent Electronic Business Center at (866) 217-9197 (toll free) or e-mail [EBC@uspto.gov](mailto:EBC@uspto.gov) for specific questions about Patent Application Information Retrieval (PAIR).
- Send general questions about USPTO programs to the [USPTO Contact Center \(UCC\)](#).
- If you experience technical difficulties or problems with this application, please report them via e-mail to [Electronic Business Support](#) or call 1 800-786-9199.



ATTORNEY DOCKET NO.: 054358-5019

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Jin Ook KIM

Application No.: 10/694,838

Filed: October 29, 2003

For: ORGANIC ELECTRO-LUMINESCENT  
DEVICE HAVING POLYMER EMISSION  
LAYER AND METHOD FOR  
FABRICATING THE SAME

)  
)  
) Confirmation No.: 2506

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) Group Art Unit: 2879

)  
) Examiner: Patel, Ashok

)  
)  
) Mail Stop Petition

Commissioner for Patents  
United States Patent and Trademark Office  
Customer Service Window, Mail Stop Petition  
Randolph Building, 401 Dulany Street  
Alexandria, VA 22314

Sir:

**CORRECTED REQUEST FOR**  
**CONTINUED EXAMINATION (RCE) TRANSMITTAL**

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 in response to a Final Office Action dated July 10, 2006 and an Advisory Action dated November 3, 2006 in the above-identified application. This RCE is filed concurrently with a Petition to Revive an Abandoned Application under 37 C.F.R. § 1.137(b) and an Amendment.

1. Submission required under 37 C.F.R. § 1.114

- ☐ Previously submitted:
- ☐ Please consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_ (Any unentered amendment(s) referred to above will be entered).
  - ☐ Please consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.
- ☒ Enclosed:
- ☐ Supplemental Reply
  - ☐ Affidavit(s)/Declaration(s)
  - ☐ Information Disclosure Statement Under 37 C.F.R. § 1.97(b)
  - ☐ PTO Form 1449 citing three (3) references
  - ☒ Other: Preliminary Amendment filed with RCE under 37 C.F.R. § 1.114
  - ☒ Other: Copy of date stamped postcard evidencing the payment of RCE filing fee

## 2. Miscellaneous

☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

☐ Other: \_\_\_\_\_.

## 3. Fees Calculation

(a) RCE Fee required under 37 C.F.R. § 1.17(e)

☒ \$790.00

☐ \$395.00 (for small entity)

(b) Additional Claims

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	14	minus	26	0	x \$50 each=	+ \$ 0.00
Independent Claims (37 C.F.R. §1.16(b))	2	minus	3	0	x \$200 each=	+ \$ 0.00
<input type="checkbox"/> First presentation of Multiple dependent claim(s)					\$360.00	+ \$ -0-
SUB-TOTAL =						\$ 0.00
Reduction by ½ for filing by a small entity						- \$ 0.00
TOTAL FEE =						\$ 0.00

## (c) Extension of Time

☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.

☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below.

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$ 225.00
<input type="checkbox"/> three months	\$ 1,020.00	\$ 510.00
<input type="checkbox"/> four months	\$ 1,590.00	\$ 795.00

The extension of time fee due with this request is: \$0.00.

If an additional extension of time is required, please consider this a Petition therefor.

## 4. Fee Payment

☐ Enclosed is a check in the amount of \$\_\_\_\_\_.

☒ As evidenced from the copy of date stamped postcard, the RCE filing fee of \$790.00 has been secured in the RCE filed on December 11, 2006. Accordingly, no RCE filing fee is required.

☐ The Commissioner is hereby authorized to charge the Deposit Account No. 50-0310 in the amount of \$0.00, representing the RCE filing fee of \$790.00.

☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN LEWIS & BOCKIUS LLP**

Dated: January 30, 2007

By: Mary Jane Boswell  
Mary Jane Boswell  
Reg. No. 33,652

**Customer No. 009629**  
**MORGAN LEWIS & BOCKIUS LLP**  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
Tel: 202.739.3000  
Fax: 202.739.3001



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of:**

**Jin Ook KIM**

**Application No.: 10/694,838**

**Filed: October 29, 2003**

**For: ORGANIC ELECTRO-LUMINESCENT  
DEVICE HAVING POLYMER EMISSION  
LAYER AND METHOD FOR  
FABRICATING THE SAME**

**Confirmation No.: 2506**

**Group Art Unit: 2879**

**Examiner: Patel, Ashok**

## Mail Stop Petition

**Commissioner for Patents  
United States Patent and Trademark Office  
Customer Service Window, Mail Stop Petition  
Randolph Building, 401 Dulany Street  
Alexandria, VA 22314**

**Sir:**

**CORRECTED AMENDMENT FOR**  
**ENTRY WITH CORRECTED RCE FILING**

**In response to the Final Office Action dated July 10, 2006 and the Advisory Action dated November 3, 2006, please amend the above-identified application as follows:**

**IN THE CLAIMS:**

Claim 1 (Currently Amended): An organic electro-luminescent device, comprising:  
first and second electrodes over a substrate; and  
an organic emission layer between the first and second electrodes, wherein the organic emission layer has a blended structure, the blended structure including [[of]] a block copolymer and an organic emission material.

Claim 2 (Original): The organic electro-luminescent device of claim 1, wherein the organic emission material is a polymer emission material.

Claim 3 (Original): The organic electro-luminescent device of claim 1, wherein the block copolymer is formed by anionic polymerization and has at least two monomers.

Claim 4 (Original): The organic electro-luminescent device of claim 3, wherein the at least two monomers include polystyrene and polybutadiene.

Claim 5 (Original): The organic electro-luminescent device of claim 3, wherein the block copolymer has a periodic structure of one of a lamella structure, a cylindrical structure, and a spherical structure.

Claim 6 (Original): The organic electro-luminescent device of claim 5, wherein the periodic structure varies with a ratio of the two different monomers.

Claim 7 (Previously Presented): The organic electro-luminescent device of claim 3, wherein the block copolymer has a net structure.

Claim 8 (Original): The organic electro-luminescent device of claim 7, wherein the at least two monomers are located at a vertex portion of the net structure and a portion other than the vertex portion in the net structure.

Claim 9 (Original): The organic electro-luminescent device of claim 1, wherein the organic emission layer has a different structure depending on a spreading coefficient between monomers constituting the block copolymer and the organic emission material.

Claim 10 (Original): The organic electro-luminescent device of claim 9, wherein the organic emission material is distributed around the monomers in the blended structure when the spreading coefficient of the monomer to the organic emission material is greater than 0.

Claim 11 (Previously Presented): The organic electro-luminescent device of claim 10, wherein the monomers are located at the vertex portion of a net structure.



Claim 12 (Original): The organic electro-luminescent device of claim 9, wherein the monomers are distributed around the organic emission material in the blended structure when the spreading coefficient of the organic emission material to the monomer is greater than 0.

Claim 13 (Original): The organic electro-luminescent device of claim 12, wherein the monomers are located at the vertex portion of the net structure.

Claims 14-26 (Canceled).

Claim 27 (New): An organic electro-luminescent device, comprising:

first and second electrodes over a substrate; and

an organic emission layer between the first and second electrodes, wherein the organic emission layer has a blended structure, the blended structure including a block copolymer and an organic emission material, and the block copolymer has at least two monomers.

**REMARKS**

**Summary of the Office Action**

Claims 1-13 stand rejected under 35 U.S.C. §102 (b) as allegedly being anticipated by Sakakibara et al. (US, 6,007,928).

**Summary of the Response to the Office Action**

Claim 1 is amended to further clarify the subject matter of the present invention. New claim 27 is added. No new matter has been added. Withdrawn claims 14-26 are cancelled without prejudice or disclaimer. Applicant reserves the right to file these claims in a continuing application. Accordingly, claims 1-13 and 27 are presently pending in the application with claims 1-13 and 27.

**Amendment with RCE filed on December 11, 2006**

Applicant respectfully submits that Amendment filed with RCE on December 11, 2006 was signed by a patent practitioner whose registration number was inactive. Accordingly, in order to insure the accurate response to the Final Office Action dated July 10, 2006 and the Advisory Action dated November 3, 2006, Applicant respectfully files the Amendment and the RCE signed by a registered practitioner whose registration number is active to be consistent with the practice of the USPTO. Applicant submits that no change has been made in this Amendment from the one that was filed on December 11, 2006.

**Non-Final Office Action dated January 3, 2007**

Applicant notes that the Office already issued a new Office Action dated January 3, 2007. However, since the last response filed on December 11, 2006 to the Final Office Action dated July 10, 2006 would have been considered non-responsive, Applicant respectfully requests that the Office withdraw the Action dated January 3, 2007 in view of the petition to revive an abandoned application under 37 C.F.R. §1.137(b), the corrected RCE, and the Amendment concurrently filed herewith. In addition, Applicant respectfully requests that the Office issue a separate Office Action based on the RCE and the Amendment concurrently filed herewith.

**Telephone Interview**

Applicant thanks the Examiner for the courtesy of allowing a telephone interview on November 20 and December 5. As agreed during the interview, claim 1 has been amended to clarify the claimed features to obviate the §102 rejections as explained below.

**Rejection of Claims under 35 U.S.C. §102 (b)**

Claims 1-13 stand rejected under 35 U.S.C. §102 (b) as allegedly being anticipated by Sakakibara et al. (US, 6,007,928). Applicant traverses this rejection for at least the following reasons.

With respect to independent claim 1, Applicant respectfully asserts that Sakakibara et al. fails to teach or suggest at least the feature of “an organic emission layer has a blended structure, the blended structure including a block copolymer and an organic emission material.” The Office Action on page 3 alleges that Sakakibara et al. discloses an organic EL device including “an organic emission layer [light-emitting layer 3 alleged to be the organic emission layer, FIG. 1] between the first and second electrodes, and having a blended structure of a block copolymer

and an organic polymer emission material.” (Col. 2, line 45; col. 4 lines 5-15; col. 4, lines 19-24; col. 5, lines 22-30; col. 6, lines 13-39; col. 7, lines 19-28; and Table 1.) However, Sakakibara et al. is completely silent as to the alleged block copolymer being a blended structure including a block copolymer and an organic emission material as recited in claim 1.

Accordingly, Applicant respectfully asserts that Sakakibara et al. fails to teach or suggest the features of at least independent claim 1, hence dependent claims 2-13 which dependent from claim 1. Thus, in light of the arguments presented above, Applicant respectfully requests that the rejection of claims 1-13 under 35 U.S.C. §102 (b) be withdrawn.

As to claims 3-13, the Office dismisses the claimed features as being recited in a product-by-process format and therefore alleges that the claimed features are not given any patentable weight. Although Applicant disagrees, Sakakibara et al. fails to anticipate claim 1 for at least the reasons stated above. Hence, Sakakibara et al. fails to anticipate claims 2-13 for at least the same reasons. Thus, Applicant respectfully asserts that the arguments with regard to claims 3-13 under the product-by-process analysis are moot.

#### **New Claim 27**

New claim 27 has been added. New claim 27 recites the subject matter of claim 1 and a portion of claim 3. Accordingly, no new matter has been added. Applicant respectfully requests consideration of newly added claim 27.

**CONCLUSION**

In view of the foregoing remarks, Applicant respectfully requests reconsideration of this application, withdrawal of all rejections, and the timely allowance of all pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicant's undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: January 30, 2007

By: Mary Jane Boswell  
Mary Jane Boswell  
Reg. No. 33,652

**CUSTOMER NO. 09629**

**MORGAN, LEWIS & BOCKIUS LLP**  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
Telephone: (202) 739-3000  
Facsimile: (202) 739-3001